

## **PUBLIC PLAZA USE POLICY**

This policy covers the rules, regulations, and how to reserve the public plaza located at 108 West Main Street. The purpose of this policy is to ensure a sanitary, secure, and friendly environment for the citizens of Vermillion and those attending the events held at the Vermillion Public Plaza. Should a safety concern arise the City reserves the right to remove applicant and others from the plaza to ensure their safety. Failing to abide by the rules and regulations set forth in this policy will result in restrictions or penalties set upon the applicant. The City has the duty and responsibility to provide safe, clean, and operational public places.

### **RESERVATIONS/CANCELLATIONS**

This section is intended to create an open and fair procedure for reserving the public plaza for public events and activities. Reservations will be made on a first come first serve basis.

In order to successfully reserve the Vermillion Public Plaza for an event or activity one must complete and submit the form "Vermillion Public Plaza Reservation Form," which is attached to this policy. Upon submitting the form, the City will review and decide if the event is an appropriate use of the Vermillion Public Plaza. On approval the applicant will be notified and allowed to use the public plaza for the date(s) specified on the application or approved by the City. A separate application is needed for each event.

Any group that reserves the Plaza for four (4) or more days in a 12 month period may be subject to mandatory rescheduling or cancelation, if a conflict exists, to allow other groups to use the Public Plaza. The City will provide notice at least three (3) business days prior to the effective date of such cancellation or rescheduling.

Please notify the City as soon as possible in the event of a cancellation.

The City also reserves the right to cancel or reschedule all events if construction or maintenance activities are to be performed in the Public Plaza, or in its vicinity, if deemed necessary for the protection of public health, safety and welfare.

### **USE OF THE PLAZA**

The Vermillion Public Plaza is only to be used for public events or activities. Individuals selling goods and merchandise must receive prior approval of the City Council and obtain an Itinerant Merchant, Peddler or Solicitor permit application if applicable.

### **AUTHORIZED PERSON**

Each group must designate an authorized person at the time of the application that will be responsible for the use of the Public Plaza. The authorized person must be present throughout the use of the Public Plaza and will be the only person authorized to make changes to the arrangements, unless otherwise agreed.

### **DAMAGES**

Any damage caused to the public plaza during the applicant's event will be the responsibility of the applicant. The applicant will need to reimburse the City for the expense to fix the damages. **VEHICLES AND MACHINERY ARE NOT ALLOWED IN THE PLAZA.** This does not apply to small equipment such as amplifiers, displays, or similar equipment.

### **TRASH**

The applicant will be responsible for any trash left in the plaza at the end of the event. Any applicant that fails to leave the public plaza in a clean manner will be subject to restrictions, penalties, and/or fines.

### **NOISE LEVELS**

The only permissible noise levels allowed in the plaza are those stated in the City of Vermillion's ordinance code. One may obtain permission to exceed normal noise levels by completing the corresponding form and getting approval by the City.

## **LIQUOR AND ALCOHOL USE**

Open receptacles in the public plaza are prohibited except when the applicant has a special license for the sale of malt beverages and/or wine as approved by the City Council. If the applicant is intending to sell liquor or alcohol in the plaza there must be appropriate fencing and security to keep the liquor and alcohol within the plaza area. Failure to abide by this section will result in penalties and/or fines.

## **PERSONAL PROPERTY**

Any personal or group equipment, supplies, or materials left in the Public Plaza will be the responsibility of the applicant. The City assumes no responsibility for any loss, theft, or damage to personal property.

## **PARKING**

Parking is allowed in designated areas only.

## **INSURANCE**

To the full extent permitted by law, the applicant hereby agrees to save and indemnify and keep harmless the City of Vermillion, its officers, agents and employees against all liability, claims, judgments or demands or damages to persons or property brought by the said agents, employees and attendees of said applicant for any alleged negligence or condition, caused or created, in whole or in part, by the City of Vermillion or the applicant; and the said applicant will defend any and all suits which may be brought against the City of Vermillion in connection therewith and will make good to, and reimburse the City of Vermillion for any expenditures, including reasonable attorneys' fees, which said City of Vermillion may make by reason of such accidents or incidents. The applicant shall supply a Certificate of Insurance naming the City of Vermillion as an additional insured.

## **FEES**

The City does not require a fee to be paid for general use of the Public Plaza. However, applicants who wish to use electricity for their event will be charged a fee of \$50.00.



# Vermillion Public Plaza Reservation Form

City of Vermillion, South Dakota

25 Center Street, Vermillion, SD 57069 \* Ph: 605-677-7056 \* Fax: 605-677-5461

*Please print legibly in ink*

Primary Contact: \_\_\_\_\_

Local Address: \_\_\_\_\_  
Street City State Zip

Home Phone No: \_\_\_\_\_ Cell Phone No: \_\_\_\_\_

Company/Group: \_\_\_\_\_

Address: \_\_\_\_\_  
Street City State Zip

Name of Event: \_\_\_\_\_

Date(s) of events: \_\_\_\_\_

Will food be served: Yes No

Will any merchandise be sold: Yes No

Does Applicant intend to sell alcohol: Yes No

Will electricity be needed? Yes No

**\*NOTE: Electrical service cost \$50 per event. Payment and arrangements for service must be made during normal business hours prior to the event.**

Please provide a description of your event, including how your event is considered a public event (Attach additional sheets if necessary):

I have read and fully subscribe to the terms of the **Public Plaza Policy**.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**FOR OFFICE USE ONLY:**

Date Application approved by City Manager: \_\_\_\_\_

Date Application denied by City Manager: \_\_\_\_\_

Deposit Received: \$ \_\_\_\_\_

Reasons for denial: \_\_\_\_\_

\_\_\_\_\_  
City Manager